

Notice of Allowability

Application No.

09/965,880

Examiner

Jon Chang

Applicant(s)

LIN ET AL.

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 1/19/05.
2. ☒ The allowed claim(s) is/are 1-16, 18-28 (renumbered as 1-27).
3. ☒ The drawings filed on 28 September 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 9/28/01
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Jon Chang
Primary Examiner

Response to Applicants' Amendment and Arguments

1. The amendment filed January 19, 2005, has been entered and made of record. Claims 1, 18 and 24 have been amended. Claim 17 has been cancelled. Claims 25-28 have been added. Claims 1-16 and 18-28 are pending.

In response to the amendment and Applicant's arguments, the objection to the disclosure due to an informality, the objection to claim 23 due to an informality, the double patenting rejections and the rejections under 35 U.S.C. §§ 102(e) and 103(a), are all withdrawn.

Applicant's arguments, see page 11 of the response, filed January 19, 2005, with respect to claim 24 have been fully considered and are persuasive. The rejection of claim 24 has been withdrawn.

Comment Regarding Attached Form PTO-1449

2. The copy of the PTO-1449 attached to the previous Office Action, mailed October 14, 2004, inadvertently did not indicate reference AR as considered (the entry for reference AR was not initialed). Attached to this Office Action is a copy of the PTO-1449 with the entry for reference AR initialed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

The subject matter of claim 17, previously indicated as allowable, has been added to claim 1. Therefore claim 1 is allowable. Claims 2-16 depend from claim 1.

Claim 18, previously indicated as containing allowable subject matter, has been re-written into independent form, and is therefore allowable. New claims 25-28 depend from claim 18.

Claims 19-22 were previously indicated as allowed. Claim 23 now depends from claim 19.

Claim 24 requires processing two or more extracted features using a soft classifier to determine a first output and a second output indicative of a combined confidence level for classification, that the first output indicates a first confidence level for classification in the picture class, and the second output indicates a second confidence level for classification in the graphics class, and classifying the area in either picture graphics or fuzzy classes based at least in part on the combined confidence level. These features as claimed, in combination with the other limitations of the claim are neither disclosed nor suggested by the prior art of record.

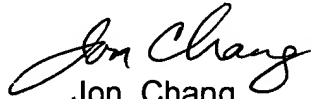
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jon Chang whose telephone number is (571) 272-7417. The examiner can normally be reached on M-F 8:00 a.m.-6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (571)272-7414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jon Chang
Primary Examiner
Art Unit 2623

Jon Chang
April 30, 2005